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# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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DOGM  
MINERALS PROGRAM  
FILE COPY

June 6, 1990

CERTIFIED RETURN RECEIPT REQUESTED  
P 074 978 678

Mr. Joseph LaStella  
P.O. Box 570  
Spanish Fork, UT 84660

Dear Mr. LaStella:

Re: BLM Notice of Noncompliance, Sno-Ben #2, Uintah County, Utah, Division of Oil, Gas & Mining File # S/047/048

The Division has been notified that a Notice of Noncompliance was issued to you by the BLM regarding the Sno-Ben #2 mining operation. Our files show a Mr. William Ihrig of Overlook Limited as the operator of this operation since August 19, 1988. The Division has record of letters to Mr. Ihrig requesting that a Small Mining Notice of Intent (NOI) be filed and also the submission of Annual Reports since the August 1988 date.

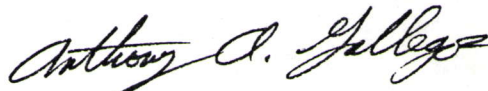
To date, the Division has not received an application for nor have we issued a mine permit for the Sno-Ben operation. Information from the BLM indicates that you resumed operations at this site in 1989 and are now considered the principal operator. Although an NOI has not been filed for this project, you as the operator are still subject to all pertinent state and federal mining rules and regulations.

Pursuant to Rule R613-003-111, if the operator of a small mining operation fails or refuses to conduct reclamation as required by the Utah Mined Land Reclamation Act of 1975 and the Minerals Rules, the Board of Oil, Gas and Mining may, after notice and hearing, order that: 1) Reclamation be conducted by the Division; and 2) The costs and expenses of reclamation, together with costs of collection, including attorney's fees, be recovered in a civil action brought by the attorney general against the operator in any appropriate court.

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The Division concurs with the BLM requirements as outlined in their March 30 and April 30, 1990 letters to you. Should you refuse to comply with the BLM directives or fail to come into compliance with the state mining regulations, then this Division will be forced to issue a Show Cause Order. This order would require that you appear before the Board of Oil, Gas and Mining at a scheduled hearing and indicate why the State should not require immediate reclamation of the mine site disturbances. Please contact us should you have questions or concerns regarding the content and/or requirements of this letter.

Sincerely,

A handwritten signature in cursive script, reading "Anthony A. Gallegos".

Anthony A. Gallegos  
Reclamation Engineer

jb  
cc: Paul Andrews, Book Cliffs RA, BLM  
Lowell Braxton, DOGM  
WMN/1-2